
STATUTORY INSTRUMENTS

2005 No. 1529

FINANCIAL SERVICES AND MARKETS

The Financial Services and Markets Act
2000 (Financial Promotion) Order 2005

<i>Made</i>	- - - -	<i>8th June 2005</i>
<i>Laid before Parliament</i>		<i>9th June 2005</i>
<i>Coming into force</i>		<i>1st July 2005</i>

THE FINANCIAL SERVICES AND MARKETS ACT
2000 (FINANCIAL PROMOTION) ORDER 2005

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Status: This is the original version (as it was originally made).

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31. Overseas communicators: non-real time communications to previously overseas customers
32. Overseas communicators: unsolicited real time communications to previously overseas customers
33. Overseas communicators: unsolicited real time communications to knowledgeable customers
34. Governments, central banks etc.
35. Industrial and provident societies
36. Nationals of EEA States other than United Kingdom
37. Financial markets
38. Persons in the business of placing promotional material
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40. Participants in certain recognised collective investment schemes
 41. Bearer instruments: promotions required or permitted by market rules
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 43. Members and creditors of certain bodies corporate
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 49. High net worth companies, unincorporated associations etc.
 50. Sophisticated investors
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 51. Associations of high net worth or sophisticated investors
 52. Common interest group of a company
 53. Settlers, trustees and personal representatives
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 55. Communications by members of professions
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 57. Persons placing promotional material in particular publications
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 59. Annual accounts and directors' report
 60. Participation in employee share schemes
 61. Sale of goods and supply of services
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 66. Takeovers of relevant unlisted companies: application forms
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 68. Promotions in connection with admission to certain EEA markets
 69. Promotions of securities already admitted to certain markets
 70. Promotions included in listing particulars etc.
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10. Providing qualifying credit
- 10A Arranging qualifying credit etc.
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12. A deposit.
13. Rights under a contract of insurance.
14. (1) Shares or stock in the share capital of—
15. Instruments creating or acknowledging indebtedness
16. Government and public securities
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18. Certificates representing certain securities
19. Units in a collective investment scheme
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22. Futures
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25. Funeral plan contracts
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28. Interpretation

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1. The Bailiwick of Guernsey.
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1. The terms of the offer must be recommended by all...
2. (1) This paragraph applies to an offer for debentures or...
3. (1) This paragraph applies to an offer for shares comprised...
4. (1) Subject to sub-paragraph (2), the offer must be open...
5. The acquisition of the shares or debentures to which the...
6. The consideration for the shares or debentures must be—
PART II — *Accompanying Material*
7. An indication of the identity of the offeror and, if...
8. An indication of the fact that the terms of the...
9. An indication to the effect that any person who is...
10. An indication that, except insofar as the offer may be...
11. An indication of the date on which the invitation or...
12. An indication that the acquisition of the shares or debentures...
13. An indication of the place where additional material listed in...

14. The audited accounts of the company in respect of the...
 15. Advice to the directors of the company on the financial...
 16. An indication by the directors of the company, acting as...
 17. An indication of any material interest which any director has...
 18. An indication as to whether or not each director intends...
 19. In the case of an offeror which is a body...
 20. If the offeror is making the offer on behalf of...
 21. An indication that each of the following—
 22. The particulars of— (a) all shares in or debentures of...
 23. An indication as to whether or not the offer is...
 24. Where the offer is conditional upon acceptances, an indication of...
 25. If the offer is, or has become, unconditional an indication...
 26. An indication as to whether or not, if circumstances arise...
 27. If shares or debentures are to be acquired for cash,...
 28. (1) Subject to sub-paragraph (2), if the consideration or any...
 29. Particulars of the first dividend in which any such shares...
 30. An indication of the effect of the acceptance on the...
 31. Particulars of all material contracts (not being contracts which were...
 32. Particulars of the terms on which shares in or debentures...
 33. An indication as to whether or not it is proposed,...
 34. An indication as to whether or not there exists any...
 35. An indication whether or not the offeror has reason to...
 36. An indication as to whether or not there is any...
 37. Particulars of any dealings— (a) in the shares in or...
 38. In a case in which the offeror is a body...
 39. Where valuations of assets are given in connection with the...
 40. If any profit forecast is given in connection with the...
- PART III — Additional Material Available for Inspection*
41. The memorandum and articles of association of the company.
 42. If the offeror is a body corporate, the memorandum and...
 43. In the case of a company that does not fall...
 44. In the case of an offeror which is required to...
 45. In the case of a company or an offeror—
 46. All existing contracts of service entered into for a period...
 47. Any report, letter, valuation or other document any part of...
 48. If the offer document contains any statement purporting to have...
 49. All material contracts (if any) of the company and of...

SCHEDULE 5 — STATEMENTS FOR CERTIFIED HIGH NET WORTH
INDIVIDUALS AND SELF-CERTIFIED SOPHISTICATED
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1. The statement to be signed for the purposes of article...
- PART II — STATEMENT FOR SELF-CERTIFIED SOPHISTICATED
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SCHEDULE 6 — REVOCATION

Explanatory Note